



Unemployment Appeals FAQ

- **Is there a special form I have to complete to file my appeal?**
 - No, any piece of paper will do. Please include your name, address, and the docket number on the appeals examiner's decision along with a statement indicating that you are appealing or protesting the decision the appeals examiner issued in your case.
- **Do I need an attorney?**
 - Claimants do not need attorneys to file appeals of unemployment insurance decisions. If you wish to consult an attorney, you are free to do so. Employers only need attorneys if they wish to request a new hearing or permission to file a legal brief. Employers who only wish to file an appeal of an unemployment decision with the Commission may do so through any corporate officer or human resources manager authorized to do so.
- **My employer representative firm (such as Frick, Gates McDonald, Employer's Unity, Johnson and Associates, etc.) handles everything for my business relating to my unemployment insurance claims. Can they file an appeal for me with the Commission?**
 - No. The Idaho Employment Security Law states that only interested parties may file unemployment insurance appeals with the Commission. Professional employer representative firms are not interested parties and may not participate in appeals before the Commission in any capacity. A corporate officer, including a designated member of the employer's human resources staff, or an attorney licensed to practice law in Idaho can represent an employer.
- **I received something in the mail called a "Notice of Filing of Appeal." Do I have to do anything?**
 - No. The "Notice of Filing of Appeal" simply tells all of the interested parties in your case (Claimant, Employer and Idaho Commerce & Labor) that an appeal has been filed with the Commission.

- **I have some documents or other evidence that I did not submit to the Appeals Examiner. Can I submit them to the Commission?**
 - Yes, you may submit to the Commission anything you believe is relevant to your case. However, you must do so within seven days after the Commission sends you the Notice of Filing of Appeal and the audiotape of the Appeals Examiner's hearing.
- **I was not able to appear at the Appeals Examiner's hearing or I do not feel I got a fair hearing and I want another chance to tell my story. Can I ask for a hearing with the Commission?**
 - Yes, you can request a new hearing, but the Commission only grants these requests when there are extraordinary circumstances. If you wish to request a new hearing, you must send that request in writing at the time you file your appeal or shortly thereafter, but no later than seven days after the Commission sends you the Notice of Filing of Appeal. You must specify why you feel you should have a new hearing. The other information you should include in a request for a new hearing is more fully explained in the Rules of Appeals Practice and Procedure Under the Idaho Employment Security Law. If you did not appear at the Appeals Examiner's hearing, you must explain why and what steps you took to obtain a new hearing before the Appeals Examiner. Please refer to the "Important Information About Your Hearing" sheet you received with the documents for the Appeals Examiner's hearing. Under the heading "Reopening the Hearing" it explains how to request a new hearing before the Appeals Examiner if you were unable to attend the original hearing.
- **I received a Notice of Appearance from Idaho Commerce & Labor. Do I have to appear for anything?**
 - No, the Notice is sent by Idaho Commerce & Labor in every case that is appealed to the Commission. It is a notice that the Deputy Attorney General is appearing as counsel for Idaho Commerce & Labor.